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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN RICHARD JAE,  
Plaintiff,  
vs.

KENNETH D. KYLER, et al.  
Defendants.

FILED  
HARRISBURG

JUN 08 2001

MARY E. D'ANDREA, CLERK  
Per DEPUTY CLERK

CIVIL No. 1:00-CV-00315

District Judge Ramo

Magistrate Judge Smyser

JUDGE'S COPY

MOTION FOR STAY AND BRIEF IN SUPPORT

Comes now, the Plaintiff's Counsel in the above-entitled Action, John Richard Jae, as a Layman Unlettered in the Arts & Sciences, the Laws & Legal Procedures within the United States, & pursuant to Fed. R. Civ. P. 6(f), now files his Motion For Stay And Brief In Support, herein, & declares, deposes & states:

I. THE MOTION

1. On or About October 17, 2000, Defendants, by counsel, filed a Motion For Summary Judgment and Statement of Undisputed Facts, herein.
2. On or About December 5, 2000, Defendants, by counsel, filed their Memorandum In Support of Motion For Summary Judgment, herein this case.
3. Plaintiff Jae's Brief In Opposition to Defendants' Motion For Summary Judgment And Memorandum In Support, is due to be filed on or before June 18, 2001, herein this case.

4. However, based upon the following facts, arguments & authorities, herein, below & infra, Plaintiff Jae is not presently able to file his Brief In Opposition to Defendants' Motion For Summary Judgment, herein this case, on or before June 18, 2001, and he moves this Court for an order staying the proceedings in this case, for thirty (30) days or until July 18, 2001.

II. BRIEF IN SUPPORT

On May 2, 2001, this Plaintiff filed his Motion For Court Order An Officer to take the written depositions of Officer Charles C. Prison Chaplain Rev. Vogel and Brief In Support, herein this case. On or About May 25, 2001, this Plaintiff filed his Motion For An

this Plaintiff to communicate with and write to Inmate Norman Johnson at the SCI-Camp Hill RHU and for in support, herein this case.

Both of these motions are outstanding before this court and this court has yet to make any decision thereon either as such as of this date.

Furthermore, Plaintiff Jare is now acting simultaneously with this here motion for stay and brief in support, his Motion order of court requiring SCI-prison officials to return to this Plaintiff all his legal materials, court case files and law books and provide him with enough paper, carbon and envelopes to enable meet court DEADLINES, Inter Alia Petition for writ of mandamus, brief in support, his motion for leave of court to file a brief opposition to Defendants' motion for summary judgment memorandum [REDACTED] in support which exceeds the fifteen limit under M.D. LR 7-8 and brief in support, and his motion strike documents supporting Defendants' motion for summary judgment and memorandum in support and brief in support, herein this

The six motions directly reflect and pertain to some which this Plaintiff needs first before he is able to file his brief in opposition to Defendants' motion for summary judgment and memorandum in support and thus this court must rule on each of these motions first, herein this case.

That, should the U.S. Magistrate Judge deny any one or these six (6) motions, this Plaintiff will appeal such denial of such motion(s) to the U.S. District Judge.

That, at the present date, this Plaintiff does "not" have enough paper or carbon paper to prepare his brief in opposition to Defendants' motion for summary judgment and memorandum in support, herein this case, as SCI-Greene Prison officials "not" provide him with enough paper or carbon paper, even though intelligent

That, Plaintiff just received the Defendants' Response

he has not yet received any of the documents for his ~~own~~ inspection & review here.

Finally, this Plaintiff avers & submits that, Fed. R. Cr. P. 56(f) states:

Should it appear from the affidavits of a party opposing the motion that the party cannot for reasons stated present by affidavit facts essential to justify the party's opposition, the Court may refuse the application for judgment or may order a continuance to permit affidavits to be obtained or depositions to be taken or discovery to be had or may make such other orders as it just.

Such is the case here in this case sub judice, as this Party - Plaintiff cannot for the reasons stated, herein, above & supra, present by affidavit facts essential to justify this party's opposition, and thus the Court should stay the proceedings, here in this case, for (30) - thirty days or, until July 18, 2001.

(W) HEREOF, this Court should grant this motion for stay of proceedings. Signed under penalty of perjury on this 4th day of June 2001.

RESPECTFULLY SUBMITTED

(s) John Richard Jare  
MR. JOHN RICHARD JARE,  
Plaintiff and Pro Se Counsel

At: Waynesburg, Pennsylvania:

MR. John Richard Jare,  
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